

Exhibit A

Relevant Excerpts from Hearing Transcript	
Footnote	
1	<p>PAGE 60:04 TO 60:11(Tanner Siems' Testimony)</p> <p>04 MR. CASTILLO: Objection, Your Honor. I—I'm going to go 05 ahead and object. I don't know—as far as I know, and the 06 complaint states it's an 8(1)(1). I don't know what Union -- I 07 guess—what's the word I'm looking for? 08 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: True. 09 MR. CASTILLO: Union animus has to do with 8(a)(1) 10 charge. 11 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Okay. Well, okay.</p>
1	<p>PAGE 171:13 TO 171:24</p> <p>13 MR. CASTILLO: So I just want to make something clear for 14 the record. 15 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Sure. 16 MR. CASTILLO: And I knew that in order to make sure -- I 17 just want to make sure I understand. 18 So I know that, typically, in 8(a)(3) cases, post-hearing 19 briefs are -- 20 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Excuse me? 21 MR. CASTILLO: In 8(a)(3) cases, post-hearing briefs are 22 kind of a matter of course. And I just want to make sure that 23 we will be able to brief on this 8(a)(1) case. 24 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Well, sure.</p>
5, 7-11	<p>PAGE 187:17 TO 191:05 (Nolan Todd's Testimony)</p> <p>17 Q Okay. And what did you learn -- without discussing what 18 you were told by your attorneys, what did you learn, pursuant to 19 this investigation, about that second week, where you were 20 paying people for not working? 21 A I learned that we didn't have to pay for unpaid -- I mean 22 for unworked time. 23 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Say that again. 24 THE WITNESS: We didn't have to pay for unworked time. 25 BY MR. CASTILLO: 00188:01 Q So, up until this investigation, you were under the 02 impression that you had to pay people for not working. 03 A If that was the agreement, yes. 04 MR. CASTILLO: And Your Honor, we would stipulate that -- 05 or I guess we would argue that that's the relevance; is that -- 06 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Okay. 07 MR. CASTILLO: -- this is the point where the four-on-four 08 and seven-V-seven change has its genesis. 09 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Okay. No problem. 10 MR. CASTILLO: It's an -- it -- 11 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: I mean, it was -- 12 there was no allegation that the change itself is unlawful, so 13 I'm not sure how important that testimony is. But it's in, so 14 it's in. 15 MR. CASTILLO: Correct. And I guess I would -- I'm just 16 covering my bases, Your Honor. 17 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Okay. 18 MR. CASTILLO: So thank you. 19 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Good idea. 20 BY MR. CASTILLO:</p>

	<p>21 Q So, Mr. Todd, did you go to -- so you hired the law firm,</p> <p>22 correct?</p> <p>23 A Correct.</p> <p>24 Q Did you -- who was your direct report at that time?</p> <p>25 A Jacques Goodwin.</p> <p>00189:01 Q Okay. Did you go to Jacques Goodwin and say, hey, look, we</p> <p>02 need to stop paying people for the second week?</p> <p>03 A No.</p> <p>04 Q Okay. Did you feel like Mr. Goodwin would have been</p> <p>05 receptive to that idea?</p> <p>06 A No.</p> <p>07 Q "No," you didn't feel that way; or "no," he wouldn't have</p> <p>08 been receptive?</p> <p>09 A He wouldn't have been receptive.</p> <p>10 Q Okay. And why do you say that?</p> <p>11 A We brought up before schedule changes, and he was not</p> <p>12 receptive to them at all.</p> <p>13 Q Okay. And Mr. Goodwin, there's been testimony, stopped --</p> <p>14 ceased working there at some point, correct?</p> <p>15 A Correct.</p> <p>16 Q And that -- do you remember when that was?</p> <p>17 A Beginning of June 2014.</p> <p>18 Q And you became the -- and you became the temporary general</p> <p>19 manager. Is that correct?</p> <p>20 A Correct.</p> <p>21 Q So you succeeded Mr. Goodwin, correct?</p> <p>22 A Correct.</p> <p>23 Q And you succeeded him in June.</p> <p>24 A Correct.</p> <p>25 Q Okay. As far as you knew, what were one of the biggest</p> <p>00190:01 costs, when you came into this position, in June of 2014?</p> <p>02 A Payroll.</p> <p>03 Q Okay. So you had known since February/March 2013, you just</p> <p>04 testified, that you guys were paying people with no lawful</p> <p>05 obligation to pay them, correct?</p> <p>06 A Uh-huh.</p> <p>07 Q So you --</p> <p>08 A Yes.</p> <p>09 Q So you become the general manager in June, correct?</p> <p>10 A Yes.</p> <p>11 Q And what was the climate of the oil and gas industry in</p> <p>12 June/July, when you came aboard?</p> <p>13 A It was good.</p> <p>14 Q Okay. And what was the most expensive cost that Katch Kan</p> <p>15 had when you came aboard?</p> <p>16 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: I think he's already</p> <p>17 testified, payroll.</p> <p>18 MR. CASTILLO: Okay. I'm sorry.</p> <p>19 BY MR. CASTILLO:</p> <p>20 Q So do you remember the exact date that you became the</p> <p>21 interim general manager?</p> <p>22 A It was either June 1st or June 2nd of 2014.</p> <p>23 Q Okay. All right. So then you become the general manager,</p> <p>24 and you just -- was it your decision to change the payroll from</p> <p>25 seven-to-seven to four-to-four?</p> <p>00191:01 A No. It was a group decision.</p> <p>02 Q And was it a decision that -- would you agree with me that</p> <p>03 that decision predated, significantly, the events of July 28th,</p> <p>04 2014?</p> <p>05 A Yes.</p>
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12-14	<p>PAGE 199:21 TO 201:21 (Nolan Todd's Testimony)</p> <p>21 Q So I want to be very clear about this point, Mr. Todd. As</p> <p>22 of July 17th, Mr. Ramsey was aware that you were changing the</p> <p>23 schedule, correct?</p> <p>24 A Correct.</p> <p>25 Q Do you know what date you told Mr. Ramsey to deliver the</p> <p>00200:01 news to his crew?</p> <p>02 A No, I can't remember --</p> <p>03 Q Okay.</p> <p>04 A -- what date I told him.</p> <p>05 (Respondent Exhibit Number 7 Marked for Identification)</p> <p>06 BY MR. CASTILLO:</p> <p>07 Q What is this, sir?</p> <p>08 A This is an email from myself to Steven Ramsey and Mathieu</p> <p>09 Haney.</p> <p>10 Q And who is Matthew Haney? We haven't heard who he is.</p> <p>11 A Matthew Haney is the regional manager up in Oklahoma, for</p> <p>12 our Oklahoma branch.</p> <p>13 Q Okay. And I think that's been an issue that we haven't</p> <p>14 covered, but -- so you guys have multiple branches in Oklahoma -</p> <p>15 - your Oklahoma branch and your -- strike that, let me rephrase</p> <p>16 it, so I don't get an objection.</p> <p>17 Did the four-V-four announcement happen only in South</p> <p>18 Texas?</p> <p>19 A No.</p> <p>20 Q It happened, also, in -- what's Mr. Haney's region?</p> <p>21 A At the time, he was over West Texas, our Midland shop, and</p> <p>22 our Oklahoma shop.</p> <p>23 Q Okay. And so the first page is an email. What is the</p> <p>24 second page?</p> <p>25 A The second page is an announcement of the change in work</p> <p>00201:01 schedule.</p> <p>02 Q Would you agree with me that it's a script?</p> <p>03 A Yes.</p> <p>04 Q Was it attached, as best you can remember, to the first</p> <p>05 page?</p> <p>06 A Yes.</p> <p>07 MR. CASTILLO: Okay. Your Honor, I'd like to move,</p> <p>08 introduce, and file this as Exhibit Number 7.</p> <p>09 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: 7? Any objection?</p> <p>10 MR. ELIFSON: No.</p> <p>11 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: 7 is received. Thank</p> <p>12 you.</p> <p>13 (Respondent Exhibit Number 7 Received into Evidence)</p> <p>14 BY MR. CASTILLO:</p> <p>15 Q So you send this email on July 25th. And just for the</p> <p>16 record, that was a Friday.</p> <p>17 A Yes.</p> <p>18 Q July 25th, 2014.</p> <p>19 A Yes.</p> <p>20 Q And you sent it about 4:52.</p> <p>21 A Yes.</p>
12-14	<p>PAGE 130:09 TO 130:14 (Stephen Ramsey's Testimony)</p> <p>09 Q And what did the announcement say?</p> <p>10 A In brief, it stated that the installers would go from a</p> <p>11 seven-and-seven rotation to a four-and-four rotation, and this</p> <p>12 would impact their overtime wages. The other part of the</p> <p>13 statement was the elimination of the 40 hours of pay on their</p> <p>14 days off.</p>

15-17	<p>PAGE 41:25 TO 42:04 (Tanner Siems' Testimony)</p> <p>25 Q What was said, if anything, after he finished reading it? 00042:01 A Everyone was just replying that this was going to affect us 02 all dramatically, pay-wise. We had all been there two to three 03 years, and they were just going to cut everything from us, 04 everything we had.</p>
18-20	<p>PAGE 131:16 TO 132:13 (Stephen Ramsey's Testimony)</p> <p>16 A I went to lunch. And while I was at lunch, we had a job 17 call in and John Barrows was first up in rotation just, you 18 know, by the way it works. He would have been the first crew to 19 go out. And he was -- he was refusing to go. And so my junior 20 team called me and said, hey, we've got this situation, what do 21 you want us to do, and I left the restaurant and went back to 22 the site. I called Nolan en route and -- 23 Q Sir, could you please explain who Nolan is? 24 A Nolan is our general manager of operations. At the time, 25 he was my direct report. So he was the boss of the U.S. 00132:01 Q Okay. And when you say your "direct report," you reported 02 to him or he reported to you? 03 A I reported directly to Nolan. 04 Q Okay. And how long did it take you to get back from lunch 05 at that time? 06 A Fifteen minutes. 07 Q What happened when you got back? 08 A Well, in coming back, I explained to Nolan that I wanted to 09 -- to fire John Barrows for refusing to work, and just go down 10 the list until somebody -- somebody went to the job. And he 11 advised me not to do that. He said, let's make a deal with the 12 guys, see if they will accept the loss of the forty-hour pay on 13 their days off if we continue the seven-and-seven rotation.</p>
21	<p>PAGE 133:19 TO 133:25 (Stephen Ramsey's Testimony)</p> <p>19 Q So after you made this announcement, what, if anything, 20 happened next? 21 A The guys became more calm. And John Barrows, I turned to 22 him and I said, so will you go service this route, will you take 23 this job. And he said, yes, sir. And he gathered his things 24 and went to do his job. And everything else was pretty much 25 business as usual for the rest of the day.</p>
21	<p>PAGE 45:02 TO 45:20 (Tanner Siems' Testimony)</p> <p>02 A We all responded back with at least seven and seven. 03 Q And what does that mean? 04 A Seven days on/seven days off. 05 Q What benefit, if any, would that have had, to bring that 06 back? 07 A We have a chance to at least get some kind of overtime in 08 seven days. 09 Q What response, if any, did he have to this? 10 A That he would call the headquarters and see what he could 11 do. 12 Q What happened next? 13 A He went out on the front porch and made his phone call. 14 Q When you say "he," who was that? 15 A Steve Ramsey. 16 Q How long was he gone? 17 A Five minutes.</p>

	<p>18 Q What happened when he came back?</p> <p>19 A He walked in and said that they would agree to seven</p> <p>20 on/seven off, without 40 on our week off.</p>
22-25	<p>PAGE 45:19 TO 47:12 (Tanner Siems' Testimony)</p> <p>19 A He walked in and said that they would agree to seven</p> <p>20 on/seven off, without 40 on our week off.</p> <p>21 Q What response, if any, did anyone have to that?</p> <p>22 A We asked for it in writing.</p> <p>23 Q Who asked for it in writing?</p> <p>24 A Me, Rosendo Perez, Gavin Wheeler, John Barrows.</p> <p>25 Q Who asked for it in writing first?</p> <p>00046:01 A Me.</p> <p>02 Q What specifically did you say?</p> <p>03 A That I would like it in writing.</p> <p>04 Q And did anyone else say anything different of those people</p> <p>05 that you mentioned and spoke of?</p> <p>06 A Same, they would just like it in writing, too.</p> <p>07 Q What response, if any, did he have to that?</p> <p>08 A That he'd see what he could do. And he went back out on</p> <p>09 the porch to make a phone call.</p> <p>10 Q And what happened after that?</p> <p>11 A He came back in and said that they agreed to get it in</p> <p>12 writing, and that we had his word that we would get it.</p> <p>13 Q What else, if anything, was said by Ramsey after you said</p> <p>14 you wanted it in writing?</p> <p>15 A He kind of had a -- like a mad look. Then he just walked</p> <p>16 out. He didn't really say anything.</p> <p>17 Q Well, what else, if anything, was said about his word?</p> <p>18 A I told him that his word didn't mean shit at this time.</p> <p>19 Q What response, if anything, did he have to that?</p> <p>20 A He just looked angry and went.</p> <p>21 Q Was that before or after he made the call to confirm?</p> <p>22 A After.</p> <p>23 Q This was after he -- this was before or after he had</p> <p>24 already agreed to put it -- to bring back the seven on/seven</p> <p>25 off?</p> <p>00047:01 A This was after.</p> <p>02 Q Okay. What happened -- what reaction, if any, did he have</p> <p>03 when you told him his word did not mean shit?</p> <p>04 MR. CASTILLO: Objection. Asked and answered.</p> <p>05 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Yeah, already</p> <p>06 answered, and he said --</p> <p>07 MR. ELIFSON: Okay.</p> <p>08 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: -- he just --</p> <p>09 BY MR. ELIFSON:</p> <p>10 Q What happened after that?</p> <p>11 A He just said that he would get it in writing by the end of</p> <p>12 that day.</p>
22-25	<p>PAGE 134:01 TO 135:02 (Stephen Ramsey's Testimony)</p> <p>00134:01 Q Prior to that, had anybody mentioned anything to you about</p> <p>02 wanting the commitment to return to the seven on/seven off</p> <p>03 schedule in writing?</p> <p>04 A Yes.</p> <p>05 Q And who was that?</p> <p>06 A I believe it was Tanner.</p> <p>07 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: It was who?</p> <p>08 THE WITNESS: I believe it was Tanner.</p> <p>09 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Okay.</p>

	<p>10 A I believe it was Tanner said -- when I said, we will give</p> <p>11 you seven-and-seven, there was a voice from the crowd that said,</p> <p>12 can we have that in writing. And I'm 90 percent sure it was</p> <p>13 Tanner that made that comment.</p> <p>14 Q And what response, if any, did you have to that?</p> <p>15 A I told him I would, that I would get it.</p> <p>16 Q Did you ever say anything to him about your word rather</p> <p>17 than putting it in writing?</p> <p>18 A I don't believe --</p> <p>19 MR. MONTY: Objection. Leading.</p> <p>20 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Overruled.</p> <p>21 A I don't believe so. I don't remember that.</p> <p>22 Q Did Mr. Siems ever say anything to you about your word not</p> <p>23 meaning anything?</p> <p>24 A I can't remember.</p> <p>25 Q When he asked -- when he asked you to put that commitment</p> <p>00135:01 in writing, were you upset?</p> <p>02 A No.</p>
26	<p>PAGE 215:21 TO 216:06 (Nolan Todd's Testimony)</p> <p>21 Q What they were -- what were they supposed to be going over</p> <p>22 there to do?</p> <p>23 A What guys?</p> <p>24 Q The international team.</p> <p>25 A They were supposed to be going over the to do a test study.</p> <p>00216:01 I don't know exactly what the trial was, but it was going to be</p> <p>02 a ninety-day trial, and is a ninety-day trial, since we started</p> <p>03 it. And to see --</p> <p>04 Q Well, let me stop you right there. Would you agree with me</p> <p>05 that it was a test run?</p> <p>06 A Yes.</p>
27	<p>PAGE 216:14 TO 217:06 (Nolan Todd's Testimony)</p> <p>14 Q Okay. So, when you -- you told Mr. Ramsey to recruit four</p> <p>15 people?</p> <p>16 A Correct.</p> <p>17 Q Did you pull that number four out of thin air?</p> <p>18 A No. That's --</p> <p>19 Q Where did that number four come from?</p> <p>20 A That came from the contract that they wanted for the test -</p> <p>21 -</p> <p>22 Q And "they" being?</p> <p>23 A -- that's how many individuals -- Saudi Aramco.</p> <p>24 Q Okay. And did you tell Mr. Ramsey, hey, let's send people</p> <p>25 that we don't want -- we don't want working for us in South</p> <p>00217:01 Texas to Saudi Aramco?</p> <p>02 A No.</p> <p>03 Q What did you tell him about how he should go about</p> <p>04 selecting these people?</p> <p>05 A We want some of the -- four of our best installers that we</p> <p>06 have.</p>
28	<p>PAGE 206:05 TO 207:07 (Nolan Todd's Testimony)</p> <p>05 Q Okay. And what is this document that you were just handed,</p> <p>06 sir, that we've marked as Exhibit 9?</p> <p>07 A The document is an email from Sharon to Andrea, copying</p> <p>08 Sandra LeBlanc, Nancy Bland, Keith Vanderzyde --</p> <p>09 Q Okay. What is the date of this email?</p> <p>10 A August -- Wednesday, August 20th, 2014.</p>

	<p>11 Q And as of August 20th -- or let me back up.</p> <p>12 Has this document been altered since you saw it last, sir?</p> <p>13 A No.</p> <p>14 MR. CASTILLO: Your Honor, I'd move to offer, file, and</p> <p>15 introduce this exhibit as Katch Kan's Number 9.</p> <p>16 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Okay. Any objection</p> <p>17 to 9?</p> <p>18 MR. ELIFSON: No, Your Honor.</p> <p>19 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: 9 is received.</p> <p>20 (Respondent Exhibit Number 9 Received into Evidence)</p> <p>21 BY MR. CASTILLO:</p> <p>22 Q So there's been a couple sort of issues that I want to --</p> <p>23 some issues that were brought up yesterday that I want to</p> <p>24 address or -- so, as of August 20th, 2014, when this email was</p> <p>25 sent, what is the -- what is a "rig-up date," what does that</p> <p>00207:01 mean, "rig up-date"?</p> <p>02 A When we install our equipment.</p> <p>03 Q Okay. And as of August 20th, now refreshing your memory</p> <p>04 with this exhibit, when was the rig-up date for the Saudi Arabia</p> <p>05 wells?</p> <p>06 A It was going to be sometime estimated between September</p> <p>07 15th through the 30th.</p>
30	<p>PAGE 215:02 TO 216:09 (Nolan Todd's Testimony)</p> <p>02 Q All right. And were you excited about this opportunity to</p> <p>03 work with Saudi Aramco?</p> <p>04 A Oh, of course.</p> <p>05 Q Why?</p> <p>06 A Because it -- it extends our customer base. They're the</p> <p>07 largest -- one of the largest operators over there in the Middle</p> <p>08 East.</p> <p>09 Q And would it be a very big client for your company; would</p> <p>10 you agree with me?</p> <p>11 A Yeah.</p> <p>12 Q And what was the point of sending -- I think in one of the</p> <p>13 exhibits, and I can reference it, if necessary, I think the word</p> <p>14 used was "set of the trial." Were they beta-testing something.</p> <p>15 What were these guys doing -- what were these guys doing over</p> <p>16 there?</p> <p>17 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Supposed to be doing</p> <p>18 over there.</p> <p>19 MR. CASTILLO: Right, right.</p> <p>20 BY MR. CASTILLO:</p> <p>21 Q What they were -- what were they supposed to be going over</p> <p>22 there to do?</p> <p>23 A What guys?</p> <p>24 Q The international team.</p> <p>25 A They were supposed to be going over the to do a test study.</p> <p>00216:01 I don't know exactly what the trial was, but it was going to be</p> <p>02 a ninety-day trial, and is a ninety-day trial, since we started</p> <p>03 it. And to see --</p> <p>04 Q Well, let me stop you right there. Would you agree with me</p> <p>05 that it was a test run?</p> <p>06 A Yes.</p> <p>07 Q Okay. So it was very important that the people that go on</p> <p>08 this trip be good brand ambassadors --</p> <p>09 A Yes.</p>
31-32	<p>PAGE 64:15 TO 65:06 (Tanner Siems' Testimony)</p> <p>15 Q First, I just want to start with some dates. I want to</p>

	<p>16 make sure that the dates I have are accurate. Specifically, I</p> <p>17 mean what dates you had conversations regarding your trip to</p> <p>18 Saudi Arabia. July 11, 2014 was your first date?</p> <p>19 A Yes.</p> <p>20 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Keep your voice up</p> <p>21 when you answer.</p> <p>22 MR. CASTILLO: Thank you.</p> <p>23 BY MR. CASTILLO:</p> <p>24 Q July 14, 2014 was the second date?</p> <p>25 A Yes.</p> <p>00065:01 Q Okay. July 16, 2014 was the third date?</p> <p>02 A Yes.</p> <p>03 Q July 21st, 2014 was the fourth date?</p> <p>04 A Yes.</p> <p>05 Q July 22nd, 2014 was the fifth date?</p> <p>06 A Yes.</p>
33	<p>PAGE 81:05 TO 81:08 (Tanner Siems' Testimony)</p> <p>05 Q And what did you respond to him?</p> <p>06 A His word didn't mean shit.</p> <p>07 Q Did you think that was appropriate?</p> <p>08 A No.</p>
33	<p>PAGE 81:20 TO 81:23 (Tanner Siems' Testimony)</p> <p>20 Have you worked many places where you can work to your</p> <p>21 supervisor like that?</p> <p>22 A Yeah.</p> <p>23 Q You have, okay.</p>
34	<p>PAGE 51:09 (Tanner Siems' Testimony)</p> <p>09 A I went home. And on July 22nd, I went to get my passport.</p>
34	<p>PAGE 52:01 TO 52:03 (Tanner Siems' Testimony)</p> <p>02 Q Who paid for your passport?</p> <p>03 A I paid for the passport; they paid to expedite it.</p>
35-36	<p>PAGE 137:02 TO 137:04 (Stephen Ramsey's Testimony)</p> <p>02 A Initially, he was on the fence. But once we started</p> <p>03 processing his passport and his visa, I felt that, you know, we</p> <p>04 were firming up the decision.</p>
39	<p>PAGE 66:03 TO 66:22 (Tanner Siems' Testimony)</p> <p>03 Q Okay. And do you have any documents that support that that</p> <p>04 conversation took place?</p> <p>05 A No.</p> <p>06 Q Okay.</p> <p>07 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Don't let your voice</p> <p>08 trail off.</p> <p>09 BY MR. CASTILLO:</p> <p>10 Q July 16th, 2014. Same question.</p> <p>11 A No.</p> <p>12 Q July 21st, 2014. Same question.</p> <p>13 A No.</p> <p>14 Q July 22nd, 2014. Same question.</p> <p>15 A Well, the 21st, I guess they gave me the paperwork to get</p> <p>16 my passport.</p>

	<p>17 Q Okay. Do you have that paperwork?</p> <p>18 A No, sir.</p> <p>19 Q Okay. July 22nd, 2014, sir. Same question.</p> <p>20 A No.</p> <p>21 Q Okay. July 28th, 2014. Same question.</p> <p>22 A No.</p>
40	<p>PAGE 220:12 TO 220:14 (Nolan Todd's Testimony)</p> <p>12 Q Okay. And -- okay. When did you learn that Mr. Siems --</p> <p>13 I'm sorry -- was no longer going to go to Saudi Arabia?</p> <p>14 A I got forwarded this email on August 4th.</p>
42	<p>PAGE 83:19 TO 84:11 (Tanner Siems' Testimony)</p> <p>19 A On August 8th --</p> <p>20 Q -- that's your testimony, correct?</p> <p>21 A -- he called me three times.</p> <p>22 Q Okay. Yes?</p> <p>23 A Yes.</p> <p>24 Q Okay. I think at 9 a.m. the first time?</p> <p>25 A Yes.</p> <p>00084:01 Q Around 11 a.m. the second time?</p> <p>02 A No.</p> <p>03 Q No? When was the second time he called you?</p> <p>04 A Probably like 1 or 2.</p> <p>05 Q Okay. And then the third time was?</p> <p>06 A 6:30.</p> <p>07 Q And during all three conversations, it sounds like -- and</p> <p>08 you can say whether you agree with this or not -- that he's</p> <p>09 almost begging you to go to Saudi Arabia?</p> <p>10 A He said no one else would go, but I already told him that I</p> <p>11 wouldn't.</p>
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	<p>08 A Well, because we had spent a lot of time and effort 09 developing him to go. And I felt that he was just causing 10 trouble for me and my crew. And so I was seeking termination 11 and I wanted to clear it through our HR department to make sure 12 that I was following company policy consistently.</p>
45	<p>PAGE 90:18 TO 90:23 (Tanner Siems' Testimony)</p> <p>18 Q As you understand it, why do you believe that you were 19 terminated? 20 A Because I won't go to Saudi Arabia. 21 Q Okay. And you admit that you refused to go to Saudi 22 Arabia? 23 A Yeah.</p>
46	<p>PAGE 234:06 TO 234:07 (Nolan Todd's Testimony)</p> <p>06 Q Mr. Siems was an at-will employee? 07 A Correct.</p>
48	<p>PAGE 90:18 TO 90:23 (Tanner Siems' Testimony)</p> <p>18 Q As you understand it, why do you believe that you were 19 terminated? 20 A Because I won't go to Saudi Arabia. 21 Q Okay. And you admit that you refused to go to Saudi 22 Arabia? 23 A Yeah.</p>
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52	<p>PAGE 90:18 TO 90:23 (Tanner Siems' Testimony)</p> <p>18 Q As you understand it, why do you believe that you were 19 terminated? 20 A Because I won't go to Saudi Arabia. 21 Q Okay. And you admit that you refused to go to Saudi 22 Arabia? 23 A Yeah.</p>
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54	<p>PAGE 126:06 TO 128:17 (Stephen Ramsey's Testimony)</p> <p>06 MR. ELIFSON: Yes, Your Honor. I'm proposing to examine 07 this witness under 611(c). 08 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Well, let's see -- 09 before you do, see if you can qualify him for 611(c). 10 BY MR. ELIFSON: 11 Q Yes. Mr. Ramsey, are you currently employed? 12 A Yes. 13 A By whom are you employed? 14 A Green Energy Oil Field Services. 15 Q Prior to working there, where did you work? 16 A Katch Kan USA. 17 Q How long did you work there? 18 A From February of 2014 to January of 2015. 19 Q And at the time Mr. Siems was terminated, were you working 20 at Katch Kan? 21 A Yes. 22 Q And were you responsible for the decision to terminate him? 23 A Yes, I was. 24 Q How did your relationship with Katch Kan end? 25 A I was terminated for cause of Section -- I believe Section 00127:01 405 of the employee handbook, careless discharge of duties. I 02 asked for an explanation, was not given one. 03 In a nutshell, I know our rig count had dramatically 04 declined and I feel that's the reason I was -- 05 Q "Rig count"? And could you explain what a rig count is? 06 A Rig count. We service -- we service drilling rigs. 07 Midsummer we serviced 76 drilling rigs. Towards fourth quarter, 08 as oil prices dropped, many of our customers shut their rigs 09 down. So about 60 percent of our loss of rigs in fourth quarter 10 was due to rigs stacking out. The other 40 percent could be 11 attributed to competitors coming in and gaining market share. 12 Q And, sir, at the time you were employed at Katch Kan, what 13 was your position? 14 A I was a regional manager for the South Texas region. 15 Q What were your duties in that position? 16 A My duties were -- I had P&L control. You know, we had 17 budget goals that we had to work within; hire and fire, coach 18 employees, you know, manage -- manage the day-to-day operations, 19 make sure the trucks were working, the crews had equipment, 20 schedules were being fulfilled, dispatch functions.</p>

	<p>21 Q And at the time you gave -- let's see. You previously gave 22 a statement to the National Labor Relations Board. Is that 23 true, sir?</p> <p>24 A Correct.</p> <p>25 Q And at the time you gave that statement, were you currently 00128:01 -- were you employed at that time by Katch Kan?</p> <p>02 A Yes. Yes.</p> <p>03 MR. ELIFSON: Your Honor, I'm requesting to examine him 04 under --</p> <p>05 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: I don't think so. I 06 don't -- he was terminated by the Company. I don't believe he 07 could qualify as an adverse witness to you at this time. Not 08 only was he terminated, he disagrees with the reason why he was 09 terminated.</p> <p>10 So I will at this point -- well, what's your position on 11 it?</p> <p>12 MR. MONTY: Our position is the same, Your Honor. I don't 13 think he's met the burden.</p> <p>14 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Right. Not only was 15 he terminated, he disagrees with the position taken by the 16 company for reason of his termination. So I'll deny your 17 request for 611(c).</p>
55	<p>PAGE 90:18 TO 90:23 (Tanner Siems' Testimony)</p> <p>18 Q As you understand it, why do you believe that you were 19 terminated?</p> <p>20 A Because I won't go to Saudi Arabia.</p> <p>21 Q Okay. And you admit that you refused to go to Saudi 22 Arabia?</p> <p>23 A Yeah.</p>
61	<p>PAGE 44:15 TO 44:22 (Tanner Siems' Testimony)</p> <p>15 A After probably three hours, they -- Steve Ramsey came back 16 and asked us all to go into the office for a meeting.</p> <p>17 Q And was it all the same people who went in the office?</p> <p>18 A All the same -- or the -- some of the installers, that day, 19 they were going home, and went home. So it was everyone coming 20 on shift, and a couple that were going off shift.</p> <p>21 Q How many people would you say went in the office?</p> <p>22 A Ten to 12, 15, something like that.</p>
62	<p>PAGE 220:12 TO 220:14 (Nolan Todd's Testimony)</p> <p>12 Q Okay. And -- okay. When did you learn that Mr. Siems -- 13 I'm sorry -- was no longer going to go to Saudi Arabia?</p> <p>14 A I got forwarded this email on August 4th.</p>
62	<p>PAGE 83:19 TO 84:11 (Tanner Siems' Testimony)</p> <p>19 A On August 8th --</p> <p>20 Q -- that's your testimony, correct?</p> <p>21 A -- he called me three times.</p> <p>22 Q Okay. Yes?</p> <p>23 A Yes.</p> <p>24 Q Okay. I think at 9 a.m. the first time?</p> <p>25 A Yes.</p> <p>00084:01 Q Around 11 a.m. the second time?</p> <p>02 A No.</p> <p>03 Q No? When was the second time he called you?</p> <p>04 A Probably like 1 or 2.</p>

	<p>05 Q Okay. And then the third time was?</p> <p>06 A 6:30.</p> <p>07 Q And during all three conversations, it sounds like -- and</p> <p>08 you can say whether you agree with this or not -- that he's</p> <p>09 almost begging you to go to Saudi Arabia?</p> <p>10 A He said no one else would go, but I already told him that I</p> <p>11 wouldn't.</p>
69	<p>PAGE 220:12 TO 220:14 (Nolan Todd's Testimony)</p> <p>12 Q Okay. And -- okay. When did you learn that Mr. Siems --</p> <p>13 I'm sorry -- was no longer going to go to Saudi Arabia?</p> <p>14 A I got forwarded this email on August 4th.</p>
71	<p>PAGE 64:15 TO 65:06 (Tanner Siems' Testimony)</p> <p>15 Q First, I just want to start with some dates. I want to</p> <p>16 make sure that the dates I have are accurate. Specifically, I</p> <p>17 mean what dates you had conversations regarding your trip to</p> <p>18 Saudi Arabia. July 11, 2014 was your first date?</p> <p>19 A Yes.</p> <p>20 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Keep your voice up</p> <p>21 when you answer.</p> <p>22 MR. CASTILLO: Thank you.</p> <p>23 BY MR. CASTILLO:</p> <p>24 Q July 14, 2014 was the second date?</p> <p>25 A Yes.</p> <p>00065:01 Q Okay. July 16, 2014 was the third date?</p> <p>02 A Yes.</p> <p>03 Q July 21st, 2014 was the fourth date?</p> <p>04 A Yes.</p> <p>05 Q July 22nd, 2014 was the fifth date?</p> <p>06 A Yes.</p>
72	<p>PAGE 81:05 TO 81:08 (Tanner Siems' Testimony)</p> <p>05 Q And what did you respond to him?</p> <p>06 A His word didn't mean shit.</p> <p>07 Q Did you think that was appropriate?</p> <p>08 A No.</p>
72	<p>PAGE 81:20 TO 81:23 (Tanner Siems' Testimony)</p> <p>20 Have you worked many places where you can work to your</p> <p>21 supervisor like that?</p> <p>22 A Yeah.</p> <p>23 Q You have, okay.</p>
74	<p>PAGE 136:01 TO 136:23 (Stephen Ramsey's Testimony)</p> <p>00136:01 response to what you said?</p> <p>02 A I'm paraphrasing but, you know, sure, I'd like that duty.</p> <p>03 Q Did he ask you for any details about what the position</p> <p>04 would entail?</p> <p>05 A Yes, he did. He asked for -- for a departure date, pay</p> <p>06 scale, living conditions while abroad, length of rotation. I</p> <p>07 mean, he wanted to know the -- the details of the job.</p> <p>08 Q Did you have those details for him the first time you spoke</p> <p>09 to him?</p> <p>10 A No.</p> <p>11 Q How long did it take for you to get those details?</p> <p>12 A It took quite a period of time.</p>

	<p>13 Q Did he ever express any reservation to going prior to 14 getting the details settled?</p> <p>15 A I don't remember him -- I know he wanted to know the 16 details. But I can't remember specifically anything he said to 17 respect -- to that respect.</p> <p>18 Q And how many times would you say you spoke to him about 19 Saudi Arabia?</p> <p>20 A I'm going to say --</p> <p>21 MR. MONTY: Objection. Asked and answered.</p> <p>22 ADMINISTRATIVE LAW JUDGE BIBLOWITZ: Overruled.</p> <p>23 A I'm going to say five or six times.</p>
75	<p>PAGE 84:15 TO 84:19 (Tanner Siems' Testimony)</p> <p>15 Q And why did you go get a passport if you weren't going to 16 go?</p> <p>17 A At that time I didn't know the terms, but I told him I'd 18 get it, but I still wanted time to think about it, but never 19 agreed.</p>
79	<p>PAGE 139:01 TO 139:20 (Stephen Ramsey's Testimony)</p> <p>00139:01 Q Who -- after Tanner expressed a reservation about wanting 02 to go, when was the first time you communicated with him about 03 going?</p> <p>04 A After he expressed -- can you repeat the question?</p> <p>05 Q Yeah. When was the first time you spoke to him about Saudi 06 Arabia after he expressed reservation about going?</p> <p>07 A It would have been the week following his email, or maybe 08 two weeks following his email, I received a call from Nolan that 09 said, Monday, I need these guys on a plane, I need your Saudi 10 team on a plane. That would have been on a Friday. I received 11 that call Friday morning. And I proceeded to call my guys we 12 had processed visas for, Tanner being one -- one of the guys. 13 And I said, hey, Tanner, we've received our start date and I 14 need you ready to travel Monday. And he said, well, I'm not 15 going.</p> <p>16 Q And then what response, if any, did you have to that?</p> <p>17 A I said, look, you know, if you're not -- if you're going to 18 turn down this duty assignment, I'm going to terminate you. And 19 he said, well, I'm not going to Saudi. I said, well, you're 20 terminated.</p>
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84	<p>PAGE 227:19 TO 228:04 (Nolan Todd's Testimony)</p> <p>19 Q Okay. Do you remember if you approached Mr. Canales about 20 going to Kenya; meaning John Canales?</p> <p>21 A Yes.</p> <p>22 Q Okay. Do you know --</p> <p>23 A Well, I didn't approach him.</p> <p>24 Q I mean you as a company.</p>

	<p>25 A Yes.</p> <p>00228:01 Q Okay. Did Mr. Canales refuse to go to Kenya?</p> <p>02 A Yes.</p> <p>03 Q What happened to him, with his employment?</p> <p>04 A He was terminated.</p>
85-86	<p>PAGE 139:01 TO 139:20 (Stephen Ramsey's Testimony)</p> <p>00139:01 Q Who -- after Tanner expressed a reservation about wanting</p> <p>02 to go, when was the first time you communicated with him about</p> <p>03 going?</p> <p>04 A After he expressed -- can you repeat the question?</p> <p>05 Q Yeah. When was the first time you spoke to him about Saudi</p> <p>06 Arabia after he expressed reservation about going?</p> <p>07 A It would have been the week following his email, or maybe</p> <p>08 two weeks following his email, I received a call from Nolan that</p> <p>09 said, Monday, I need these guys on a plane, I need your Saudi</p> <p>10 team on a plane. That would have been on a Friday. I received</p> <p>11 that call Friday morning. And I proceeded to call my guys we</p> <p>12 had processed visas for, Tanner being one -- one of the guys.</p> <p>13 And I said, hey, Tanner, we've received our start date and I</p> <p>14 need you ready to travel Monday. And he said, well, I'm not</p> <p>15 going.</p> <p>16 Q And then what response, if any, did you have to that?</p> <p>17 A I said, look, you know, if you're not -- if you're going to</p> <p>18 turn down this duty assignment, I'm going to terminate you. And</p> <p>19 he said, well, I'm not going to Saudi. I said, well, you're</p> <p>20 terminated.</p>
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